IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17502 of 2004

Between:

1 Vadde Atchamma, w/o Chinna Chennaiah,
r/o Rajupalem Village, Tripuranthakam Mandal,
Prakasam District.
2 Gottemukkala Adilakshamma, w/o Venkata Chennaiah,
r/o Rajupalem Village, Tripuranthakam (M), Prakasam District.

..... PETITIONER(S)

AND

1 The Mandal Revenue Officer, Tripuranthakam Mandal, Prakasam District.
2 The Mandal Development Officer, Tirpuranthakam, Prakasam District.
3 The Mandal Education Officer, Tripuranthakam, Prakasam district.
4 The Head Master, Mandal Parishad Primary B.T.S.School,
Rajupalem Village, Tripuranthakam Mandal, Prakasam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of mandamus to declare the impugned resolution dt.20-9-2004 passed by the 1st and 3rd respondents removing the petitioners from organizing the Mid-day-Meal Programme in the 4th respondent school as illegal, arbitrary, against to the principles of natural justice and without jurisdiction and consequently set aside the said impugned resolution dt.20-9-2004 by permitting the petitioners to continue to organize the Mid-day-Meal Programme in the 4th respondent school i.e., B.T.S.Colony Mandal, Parishad Primary School at Rajupalem Village, Tripuranthakam Mandal, Prakasam District.

Counsel for the Petitioner:Smt.K.ARUNA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

The Petitioners, who were appointed as Organizers and implementing agency for the Mid-day meal programme in the 4th respondent-Mandal Parishad Primary B.T.S. School, Rajupalem village, Tripuranthakam Mandal, Prakasam District, challenging the resolution dated 20.9.2004 removing them from Mid-day meal programme, filed the present writ petition.

Through the said resolution dated 20.9.2004, the committee comprising of the MRO, Mandal Parishad Development Officer and Mandal Education Officer, Tripuranthakam, resolved that since the petitioners have not been performing the programme efficiently, their services were terminated and in their place new organizers namely Smt. Bondalapati Veeramma and Smt. Tirupathi Ramana have been appointed. Hence, the writ petition.

Learned counsel for the petitioners submits that the committee constituted is not proper to look into the appointments or removals.

Under the Mid-day scheme, the supervising and monitoring agency is the District Collector and the Joint Collector respectively as per the guidelines issued in the light of the Supreme Court directions.

In view of the same, the petitioner is at liberty to approach the Collector or Joint Collector for appropriate reliefs. On petitioner filing such representation, the Collector or the Joint Collector can consider the said representation and pass appropriate orders after issuing notice to the parties.

With the above directions, the writ petition is disposed of. No costs.

29.9.2004

Note:

CC in two days.

Bo CVM

To,

1 The Mandal Revenue Officer, Tripuranthakam Mandal, Prakasam District.
2 The Mandal Development Officer, Tirpuranthakam, Prakasam District.
3 The Mandal Education Officer, Tripuranthakam, Prakasam district.
4 The Head Master, Mandal Parishad Primary B.T.S.School,
Rajupalem Village, Tripuranthakam Mandal, Prakasam District.

5. 2 CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT).

6. 2 CD copies.